

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections  
5 1A-8, 2-3.11d, 2-3.13a, 2-3.25g, 2-3.103, 14C-1, 21-7.1,  
6 24A-4, 24A-5, 24A-7, and 26-2a as follows:

7 (105 ILCS 5/1A-8) (from Ch. 122, par. 1A-8)

8 Sec. 1A-8. Powers of the Board in Assisting Districts  
9 Deemed in Financial Difficulties. To promote the financial  
10 integrity of school districts, the State Board of Education  
11 shall be provided the necessary powers to promote sound  
12 financial management and continue operation of the public  
13 schools.

14 The State Superintendent of Education may require a school  
15 district, including any district subject to Article 34A of this  
16 Code, to share financial information relevant to a proper  
17 investigation of the district's financial condition and the  
18 delivery of appropriate State financial, technical, and  
19 consulting services to the district if the district (i) has  
20 been designated, through the State Board of Education's School  
21 District Financial Profile System, as on financial warning or  
22 financial watch status, (ii) has failed to file an annual  
23 financial report, annual budget, deficit reduction plan, or

1 other financial information as required by law, ~~or~~ (iii) has  
2 been identified, through the district's annual audit or other  
3 financial and management information, as in serious financial  
4 difficulty in the current or next school year, or (iv) is  
5 determined to be likely to fail to fully meet any regularly  
6 scheduled, payroll-period obligations when due or any debt  
7 service payments when due or both. In addition to financial,  
8 technical, and consulting services provided by the State Board  
9 of Education, at the request of a school district, the State  
10 Superintendent may provide for an independent financial  
11 consultant to assist the district review its financial  
12 condition and options.

13 The State Board of Education, after proper investigation of  
14 a district's financial condition, may certify that a district,  
15 including any district subject to Article 34A, is in financial  
16 difficulty when any of the following conditions occur:

17 (1) The district has issued school or teacher orders  
18 for wages as permitted in Sections 8-16, 32-7.2 and 34-76  
19 of this Code.†

20 (2) The district has issued tax anticipation warrants  
21 or tax anticipation notes in anticipation of a second  
22 year's taxes when warrants or notes in anticipation of  
23 current year taxes are still outstanding, as authorized by  
24 Sections 17-16, 34-23, 34-59 and 34-63 of this Code, or has  
25 issued short-term debt against 2 future revenue sources,  
26 such as, but not limited to, tax anticipation warrants and

1 general State Aid certificates or tax anticipation  
2 warrants and revenue anticipation notes.~~†~~

3 (3) The district has for 2 consecutive years shown an  
4 excess of expenditures and other financing uses over  
5 revenues and other financing sources and beginning fund  
6 balances on its annual financial report for the aggregate  
7 totals of the Educational, Operations and Maintenance,  
8 Transportation, and Working Cash Funds.~~†~~

9 (4) The district refuses to provide financial  
10 information or cooperate with the State Superintendent in  
11 an investigation of the district's financial condition.

12 (5) The district is likely to fail to fully meet any  
13 regularly scheduled, payroll-period obligations when due  
14 or any debt service payments when due or both.

15 No school district shall be certified by the State Board of  
16 Education to be in financial difficulty solely by reason of any  
17 of the above circumstances arising as a result of (i) the  
18 failure of the county to make any distribution of property tax  
19 money due the district at the time such distribution is due or  
20 (ii) the failure of this State to make timely payments of  
21 general State aid or any of the mandated categoricals; or if  
22 the district clearly demonstrates to the satisfaction of the  
23 State Board of Education at the time of its determination that  
24 such condition no longer exists. If the State Board of  
25 Education certifies that a district in a city with 500,000  
26 inhabitants or more is in financial difficulty, the State Board

1 shall so notify the Governor and the Mayor of the city in which  
2 the district is located. The State Board of Education may  
3 require school districts certified in financial difficulty,  
4 except those districts subject to Article 34A, to develop,  
5 adopt and submit a financial plan within 45 days after  
6 certification of financial difficulty. The financial plan  
7 shall be developed according to guidelines presented to the  
8 district by the State Board of Education within 14 days of  
9 certification. Such guidelines shall address the specific  
10 nature of each district's financial difficulties. Any proposed  
11 budget of the district shall be consistent with the financial  
12 plan submitted to and approved by the State Board of Education.

13 A district certified to be in financial difficulty, other  
14 than a district subject to Article 34A, shall report to the  
15 State Board of Education at such times and in such manner as  
16 the State Board may direct, concerning the district's  
17 compliance with each financial plan. The State Board may review  
18 the district's operations, obtain budgetary data and financial  
19 statements, require the district to produce reports, and have  
20 access to any other information in the possession of the  
21 district that it deems relevant. The State Board may issue  
22 recommendations or directives within its powers to the district  
23 to assist in compliance with the financial plan. The district  
24 shall produce such budgetary data, financial statements,  
25 reports and other information and comply with such directives.  
26 If the State Board of Education determines that a district has

1 failed to comply with its financial plan, the State Board of  
2 Education may rescind approval of the plan and appoint a  
3 Financial Oversight Panel for the district as provided in  
4 Section 1B-4. This action shall be taken only after the  
5 district has been given notice and an opportunity to appear  
6 before the State Board of Education to discuss its failure to  
7 comply with its financial plan.

8 No bonds, notes, teachers orders, tax anticipation  
9 warrants or other evidences of indebtedness shall be issued or  
10 sold by a school district or be legally binding upon or  
11 enforceable against a local board of education of a district  
12 certified to be in financial difficulty unless and until the  
13 financial plan required under this Section has been approved by  
14 the State Board of Education.

15 Any financial profile compiled and distributed by the State  
16 Board of Education in Fiscal Year 2009 or any fiscal year  
17 thereafter shall incorporate such adjustments as may be needed  
18 in the profile scores to reflect the financial effects of the  
19 inability or refusal of the State of Illinois to make timely  
20 disbursements of any general State aid or mandated categorical  
21 aid payments due school districts or to fully reimburse school  
22 districts for mandated categorical programs pursuant to  
23 reimbursement formulas provided in this School Code.

24 (Source: P.A. 96-668, eff. 8-25-09.)

1           Sec. 2-3.11d. Data on tests required for teacher  
2 preparation and certification. Beginning with the effective  
3 date of this amendatory Act of the 94th General Assembly, to  
4 collect and maintain all of the following data for each  
5 institution of higher education engaged in teacher preparation  
6 in this State:

7           (1) The number of individuals taking the test of basic  
8 skills under Section 21-1a of this Code.

9           (2) The number of individuals passing the test of basic  
10 skills under Section 21-1a of this Code.

11           (3) The total number of subject-matter tests attempted  
12 under Section 21-1a of this Code.

13           (4) The total number of subject-matter tests passed  
14 under Section 21-1a of this Code.

15 The data regarding subject-matter tests shall be reported in  
16 sum, rather than by separately listing each subject, in order  
17 to better protect the identity of the test-takers.

18           On or before August 1, 2007, the State Board of Education  
19 shall file with the General Assembly and the Governor and shall  
20 make available to the public a report listing the institutions  
21 of higher education engaged in teacher preparation in this  
22 State, along with the data listed in items (1) and (2) of this  
23 Section pertinent to each institution.

24           On or before October 1, 2012 ~~August 1, 2009~~ and every 3  
25 years thereafter, the State Board of Education shall file with  
26 the General Assembly and the Governor and shall make available

1 to the public a report listing the institutions of higher  
2 education engaged in teacher preparation in this State, along  
3 with the data listed in items (1) through (4) of this Section  
4 pertinent to each institution.

5 (Source: P.A. 94-935, eff. 6-26-06.)

6 (105 ILCS 5/2-3.13a) (from Ch. 122, par. 2-3.13a)

7 Sec. 2-3.13a. School records; transferring students.

8 (a) The State Board of Education shall establish and  
9 implement rules requiring all of the public schools and all  
10 private or nonpublic elementary and secondary schools located  
11 in this State, whenever any such school has a student who is  
12 transferring to any other public elementary or secondary school  
13 located in this or in any other state, to forward within 10  
14 days of notice of the student's transfer an unofficial record  
15 of that student's grades to the school to which such student is  
16 transferring. Each public school at the same time also shall  
17 forward to the school to which the student is transferring the  
18 remainder of the student's school student records as required  
19 by the Illinois School Student Records Act. In addition, if a  
20 student is transferring from a public school, whether located  
21 in this or any other state, from which the student has been  
22 suspended or expelled for knowingly possessing in a school  
23 building or on school grounds a weapon as defined in the Gun  
24 Free Schools Act (20 U.S.C. 8921 et seq.), for knowingly  
25 possessing, selling, or delivering in a school building or on

1 school grounds a controlled substance or cannabis, or for  
2 battering a staff member of the school, and if the period of  
3 suspension or expulsion has not expired at the time the student  
4 attempts to transfer into another public school in the same or  
5 any other school district: (i) any school student records  
6 required to be transferred shall include the date and duration  
7 of the period of suspension or expulsion; and (ii) with the  
8 exception of transfers into the Department of Juvenile Justice  
9 school district, the student shall not be permitted to attend  
10 class in the public school into which he or she is transferring  
11 until the student has served the entire period of the  
12 suspension or expulsion imposed by the school from which the  
13 student is transferring, provided that the school board may  
14 approve the placement of the student in an alternative school  
15 program established under Article 13A of this Code. A school  
16 district may adopt a policy providing that if a student is  
17 suspended or expelled for any reason from any public or private  
18 school in this or any other state, the student must complete  
19 the entire term of the suspension or expulsion before being  
20 admitted into the school district. This policy may allow  
21 placement of the student in an alternative school program  
22 established under Article 13A of this Code, if available, for  
23 the remainder of the suspension or expulsion. Each public  
24 school and each private or nonpublic elementary or secondary  
25 school in this State shall within 10 days after the student has  
26 paid all of his or her outstanding fines and fees and at its

1 own expense forward an official transcript of the scholastic  
2 records of each student transferring from that school in strict  
3 accordance with the provisions of this Section and the rules  
4 established by the State Board of Education as herein provided.

5 (b) The State Board of Education shall develop a one-page  
6 standard form that Illinois school districts are required to  
7 provide to any student who is moving out of the school district  
8 and that contains the information about whether or not the  
9 student is "in good standing" and whether or not his or her  
10 medical records are up-to-date and complete. As used in this  
11 Section, "in good standing" means that the student is not being  
12 disciplined by a suspension or expulsion, but is entitled to  
13 attend classes. No school district is required to admit a new  
14 student who is transferring from another Illinois school  
15 district unless he or she can produce the standard form from  
16 the student's previous school district enrollment. No school  
17 district is required to admit a new student who is transferring  
18 from an out-of-state public school unless the parent or  
19 guardian of the student certifies in writing that the student  
20 is not currently serving a suspension or expulsion imposed by  
21 the school from which the student is transferring.

22 (c) The State Board of Education shall, by rule, establish  
23 a system to provide for the accurate tracking of transfer  
24 students. This system shall, at a minimum, require that a  
25 student be counted as a dropout in the calculation of a  
26 school's or school district's annual student dropout rate

1 unless the school or school district to which the student  
2 transferred (known hereafter in this subsection (c) as the  
3 transferee school or school district) sends notification to the  
4 school or school district from which the student transferred  
5 (known hereafter in this subsection (c) as the transferor  
6 school or school district) documenting that the student has  
7 enrolled in the transferee school or school district. This  
8 notification must occur on or before July 31 following the  
9 school year during which the student ~~within 150 days after the~~  
10 ~~date the student~~ withdraws from the transferor school or school  
11 district or the student shall be counted in the calculation of  
12 the transferor school's or school district's annual student  
13 dropout rate. A request by the transferee school or school  
14 district to the transferor school or school district seeking  
15 the student's academic transcripts or medical records shall be  
16 considered without limitation adequate documentation of  
17 enrollment. Each transferor school or school district shall  
18 keep documentation of such transfer students for the minimum  
19 period provided in the Illinois School Student Records Act. All  
20 records indicating the school or school district to which a  
21 student transferred are subject to the Illinois School Student  
22 Records Act.

23 (Source: P.A. 93-859, eff. 1-1-05; 94-696, eff. 6-1-06.)

24 (105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

25 Sec. 2-3.25g. Waiver or modification of mandates within the

1 School Code and administrative rules and regulations.

2 (a) In this Section:

3 "Board" means a school board or the governing board or  
4 administrative district, as the case may be, for a joint  
5 agreement.

6 "Eligible applicant" means a school district, joint  
7 agreement made up of school districts, or regional  
8 superintendent of schools on behalf of schools and programs  
9 operated by the regional office of education.

10 "Implementation date" has the meaning set forth in  
11 Section 24A-2.5 of this Code.

12 "State Board" means the State Board of Education.

13 (b) Notwithstanding any other provisions of this School  
14 Code or any other law of this State to the contrary, eligible  
15 applicants may petition the State Board of Education for the  
16 waiver or modification of the mandates of this School Code or  
17 of the administrative rules and regulations promulgated by the  
18 State Board of Education. Waivers or modifications of  
19 administrative rules and regulations and modifications of  
20 mandates of this School Code may be requested when an eligible  
21 applicant demonstrates that it can address the intent of the  
22 rule or mandate in a more effective, efficient, or economical  
23 manner or when necessary to stimulate innovation or improve  
24 student performance. Waivers of mandates of the School Code may  
25 be requested when the waivers are necessary to stimulate  
26 innovation or improve student performance. Waivers may not be

1 requested from laws, rules, and regulations pertaining to  
2 special education, teacher certification, teacher tenure and  
3 seniority, or Section 5-2.1 of this Code or from compliance  
4 with the No Child Left Behind Act of 2001 (Public Law 107-110).  
5 On and after the applicable implementation date, eligible  
6 applicants may not seek a waiver or seek a modification of a  
7 mandate regarding the requirements for (i) student performance  
8 data to be a significant factor in teacher or principal  
9 evaluations or (ii) for teachers and principals to be rated  
10 using the 4 categories of "excellent", "proficient", "needs  
11 improvement", or "unsatisfactory". On the applicable  
12 implementation date, any previously authorized waiver or  
13 modification from such requirements shall terminate.

14 (c) Eligible applicants, as a matter of inherent managerial  
15 policy, and any Independent Authority established under  
16 Section 2-3.25f may submit an application for a waiver or  
17 modification authorized under this Section. Each application  
18 must include a written request by the eligible applicant or  
19 Independent Authority and must demonstrate that the intent of  
20 the mandate can be addressed in a more effective, efficient, or  
21 economical manner or be based upon a specific plan for improved  
22 student performance and school improvement. Any eligible  
23 applicant requesting a waiver or modification for the reason  
24 that intent of the mandate can be addressed in a more  
25 economical manner shall include in the application a fiscal  
26 analysis showing current expenditures on the mandate and

1 projected savings resulting from the waiver or modification.  
2 Applications and plans developed by eligible applicants must be  
3 approved by the board or regional superintendent of schools  
4 applying on behalf of schools or programs operated by the  
5 regional office of education following a public hearing on the  
6 application and plan and the opportunity for the board or  
7 regional superintendent to hear testimony from staff directly  
8 involved in its implementation, parents, and students. The time  
9 period for such testimony shall be separate from the time  
10 period established by the eligible applicant for public comment  
11 on other matters. If the applicant is a school district or  
12 joint agreement requesting a waiver or modification of Section  
13 27-6 of this Code, the public hearing shall be held on a day  
14 other than the day on which a regular meeting of the board is  
15 held. If the applicant is a school district, the public hearing  
16 must be preceded by at least one published notice occurring at  
17 least 7 days prior to the hearing in a newspaper of general  
18 circulation within the school district that sets forth the  
19 time, date, place, and general subject matter of the hearing.  
20 If the applicant is a joint agreement or regional  
21 superintendent, the public hearing must be preceded by at least  
22 one published notice (setting forth the time, date, place, and  
23 general subject matter of the hearing) occurring at least 7  
24 days prior to the hearing in a newspaper of general circulation  
25 in each school district that is a member of the joint agreement  
26 or that is served by the educational service region, provided

1 that a notice appearing in a newspaper generally circulated in  
2 more than one school district shall be deemed to fulfill this  
3 requirement with respect to all of the affected districts. The  
4 eligible applicant must notify in writing the affected  
5 exclusive collective bargaining agent and those State  
6 legislators representing the eligible applicant's territory of  
7 its intent to seek approval of a waiver or modification and of  
8 the hearing to be held to take testimony from staff. The  
9 affected exclusive collective bargaining agents shall be  
10 notified of such public hearing at least 7 days prior to the  
11 date of the hearing and shall be allowed to attend such public  
12 hearing. The eligible applicant shall attest to compliance with  
13 all of the notification and procedural requirements set forth  
14 in this Section.

15 (d) A request for a waiver or modification of  
16 administrative rules and regulations or for a modification of  
17 mandates contained in this School Code shall be submitted to  
18 the State Board of Education within 15 days after approval by  
19 the board or regional superintendent of schools. The  
20 application as submitted to the State Board of Education shall  
21 include a description of the public hearing. Following receipt  
22 of the request, the State Board shall have 45 days to review  
23 the application and request. If the State Board fails to  
24 disapprove the application within that 45 day period, the  
25 waiver or modification shall be deemed granted. The State Board  
26 may disapprove any request if it is not based upon sound

1 educational practices, endangers the health or safety of  
2 students or staff, compromises equal opportunities for  
3 learning, or fails to demonstrate that the intent of the rule  
4 or mandate can be addressed in a more effective, efficient, or  
5 economical manner or have improved student performance as a  
6 primary goal. Any request disapproved by the State Board may be  
7 appealed to the General Assembly by the eligible applicant as  
8 outlined in this Section.

9 A request for a waiver from mandates contained in this  
10 School Code shall be submitted to the State Board within 15  
11 days after approval by the board or regional superintendent of  
12 schools. The application as submitted to the State Board of  
13 Education shall include a description of the public hearing.  
14 The description shall include, but need not be limited to, the  
15 means of notice, the number of people in attendance, the number  
16 of people who spoke as proponents or opponents of the waiver, a  
17 brief description of their comments, and whether there were any  
18 written statements submitted. The State Board shall review the  
19 applications and requests for completeness and shall compile  
20 the requests in reports to be filed with the General Assembly.  
21 The State Board shall file reports outlining the waivers  
22 requested by eligible applicants and appeals by eligible  
23 applicants of requests disapproved by the State Board with the  
24 Senate and the House of Representatives before each March 1 and  
25 October 1. The General Assembly may disapprove the report of  
26 the State Board in whole or in part within 60 calendar days

1 after each house of the General Assembly next convenes after  
2 the report is filed by adoption of a resolution by a record  
3 vote of the majority of members elected in each house. If the  
4 General Assembly fails to disapprove any waiver request or  
5 appealed request within such 60 day period, the waiver or  
6 modification shall be deemed granted. Any resolution adopted by  
7 the General Assembly disapproving a report of the State Board  
8 in whole or in part shall be binding on the State Board.

9 (e) An approved waiver or modification (except a waiver  
10 from or modification to a physical education mandate) may  
11 remain in effect for a period not to exceed 5 school years and  
12 may be renewed upon application by the eligible applicant.  
13 However, such waiver or modification may be changed within that  
14 5-year period by a board or regional superintendent of schools  
15 applying on behalf of schools or programs operated by the  
16 regional office of education following the procedure as set  
17 forth in this Section for the initial waiver or modification  
18 request. If neither the State Board of Education nor the  
19 General Assembly disapproves, the change is deemed granted.

20 An approved waiver from or modification to a physical  
21 education mandate may remain in effect for a period not to  
22 exceed 2 school years and may be renewed no more than 2 times  
23 upon application by the eligible applicant. An approved waiver  
24 from or modification to a physical education mandate may be  
25 changed within the 2-year period by the board or regional  
26 superintendent of schools, whichever is applicable, following

1 the procedure set forth in this Section for the initial waiver  
2 or modification request. If neither the State Board of  
3 Education nor the General Assembly disapproves, the change is  
4 deemed granted.

5 (f) (Blank). ~~On or before February 1, 1998, and each year~~  
6 ~~thereafter, the State Board of Education shall submit a~~  
7 ~~cumulative report summarizing all types of waivers of mandates~~  
8 ~~and modifications of mandates granted by the State Board or the~~  
9 ~~General Assembly. The report shall identify the topic of the~~  
10 ~~waiver along with the number and percentage of eligible~~  
11 ~~applicants for which the waiver has been granted. The report~~  
12 ~~shall also include any recommendations from the State Board~~  
13 ~~regarding the repeal or modification of waived mandates.~~

14 (Source: P.A. 95-223, eff. 1-1-08; 96-861, eff. 1-15-10.)

15 (105 ILCS 5/2-3.103) (from Ch. 122, par. 2-3.103)

16 Sec. 2-3.103. Salary and benefit survey. For each school  
17 year commencing on or after January 1, 1992, the State Board of  
18 Education shall conduct, in each school district, a school  
19 district salary and benefits survey covering the district's  
20 certificated and educational support personnel. However, the  
21 collection of information covering educational support  
22 personnel must be limited to districts with 1,000 or more  
23 students enrolled.

24 A survey form shall be developed and furnished by the State  
25 Board of Education to each school district on or before October

1 ~~1 within 30 days after the commencement~~ of the school year  
2 covered by the survey, and each school district shall submit a  
3 completed ~~complete and return the~~ survey ~~form~~ to the State  
4 Board of Education on or before February 1 of the school year  
5 covered by the survey ~~within the succeeding 30 day period.~~

6 The State Board of Education shall compile, by April 30 of  
7 the school year covered by the survey, a statewide salary and  
8 benefit survey report based upon the surveys ~~survey forms~~  
9 completed and submitted ~~returned~~ for that school year by the  
10 individual school districts as required by this Section, and  
11 shall make the survey report available to all school districts  
12 and to all "employee organizations" as defined in Section 2 of  
13 the Illinois Educational Labor Relations Act.

14 The data required to be reported by each school district on  
15 the salary and benefits survey ~~form~~ developed and furnished  
16 under this Section for the school year covered by the survey  
17 shall include, but shall not be limited to, the following:

18 (1) the district's estimated fall enrollment;

19 (2) with respect to both its certificated and  
20 educational support personnel employees:

21 (A) whether the district has a salary schedule,  
22 salary policy but no salary schedule, or no salary  
23 policy and no salary schedule;

24 (B) when each such salary schedule or policy of the  
25 district was or will be adopted;

26 (C) whether there is a negotiated agreement

1           between the school board and any teacher, educational  
2           support personnel or other employee organization and,  
3           if so, the affiliation of the local of such  
4           organization, together with the month and year of  
5           expiration of the negotiated agreement and whether it  
6           contains a fair share provision; and if there is no  
7           such negotiated agreement but the district does have a  
8           salary schedule or policy, a brief explanation of the  
9           manner in which each such salary schedule or policy was  
10          developed prior to its adoption by the school board,  
11          including a statement of whether any meetings between  
12          the school board and the superintendent leading up to  
13          adoption of the salary schedule or policy were based  
14          upon, or were conducted without any discussions  
15          between the superintendent and the affected teachers,  
16          educational support personnel or other employees;

17                 (D) whether the district's salary program,  
18                 policies or provisions are based upon merit or  
19                 performance evaluation of individual teachers,  
20                 educational support personnel or other employees, and  
21                 whether they include: severance pay provisions; early  
22                 retirement incentives; sick leave bank provisions;  
23                 sick leave accumulation provisions and, if so, to how  
24                 many days; personal, business or emergency leave with  
25                 pay and, if so, the number of days; or direct  
26                 reimbursement in whole or in part for expenses, such as

1 tuition and materials, incurred in acquiring  
2 additional college credit;

3 (E) whether school board paid or tax sheltered  
4 retirement contributions are included in any existing  
5 salary schedule or policy of the school district; what  
6 percent (if any) of the salary of each different  
7 certified and educational support personnel employee  
8 classification (using the employee salary which  
9 reflects the highest regularly scheduled step in that  
10 classification on the salary schedule or policy of the  
11 district) is school board paid to an employee  
12 retirement system; the highest scheduled salary and  
13 the level of education or training required to reach  
14 the highest scheduled salary in each certified and  
15 educational support personnel employee classification;  
16 using annual salaries from the school board's salary  
17 schedule or policy for each certified and educational  
18 support personnel employee classification (and  
19 excluding from such salaries items of individual  
20 compensation resulting from extra-curricular duties,  
21 employment beyond the regular school year and  
22 longevity service pay, but including additional  
23 compensation such as grants and cost of living bonuses  
24 that are received by all employees in a classification  
25 or by all employees in a classification who are at the  
26 maximum experience level), the beginning, maximum and

1 specified intermediate salaries reported to an  
2 employee retirement system (including school board  
3 paid or tax sheltered retirement contributions, but  
4 excluding fringe benefits) for each educational or  
5 training category within each certified and  
6 educational support personnel employee classification;  
7 and the completed years of experience required to reach  
8 such maximum regularly scheduled and highest scheduled  
9 salaries;

10 (F) whether the school district provides longevity  
11 pay beyond the last annual regular salary increase  
12 available under the district's salary schedule or  
13 policy; and if so, the maximum earnings with longevity  
14 for each educational or training category specified by  
15 the State Board of Education in its survey form (based  
16 on salary reported to an employee's retirement system,  
17 including school board paid and tax sheltered  
18 retirement contributions, but excluding fringe  
19 benefits, and with maximum longevity step numbers and  
20 completed years of experience computed as provided in  
21 the survey form);

22 (G) for each dental, disability, hospitalization,  
23 life, prescription or vision insurance plan, cafeteria  
24 plan or other fringe benefit plan sponsored by the  
25 school board: (i) a statement of whether such plan is  
26 available to full time teachers or other certificated

1 personnel covered by a district salary schedule or  
2 policy, whether such plan is available to full time  
3 educational support personnel covered by a district  
4 salary schedule or policy, and whether all full time  
5 employees to whom coverage under such plan is available  
6 are entitled to receive the same benefits under that  
7 plan; and (ii) the total annual cost of coverage under  
8 that plan for a covered full time employee who is at  
9 the highest regularly scheduled step on the salary  
10 schedule or policy of the district applicable to such  
11 employee, the percent of that total annual cost paid by  
12 the school board, the total annual cost of coverage  
13 under that plan for the family of that employee, and  
14 the percent of that total annual cost for family  
15 coverage paid by the school board.

16 In addition, each school district shall provide ~~attach to~~  
17 ~~the completed survey form which it returns~~ to the State Board  
18 of Education, on or before February 1 of the school year  
19 covered by the survey, as required by this Section, a copy of  
20 each salary schedule, salary policy and negotiated agreement  
21 which is identified or otherwise referred to in the completed  
22 survey form.

23 (Source: P.A. 87-547; 87-895.)

24 (105 ILCS 5/14C-1) (from Ch. 122, par. 14C-1)

25 Sec. 14C-1. The General Assembly finds that there are large

1 numbers of children in this State who come from environments  
2 where the primary language is other than English. Experience  
3 has shown that public school classes in which instruction is  
4 given only in English are often inadequate for the education of  
5 children whose native tongue is another language. The General  
6 Assembly believes that a program of transitional bilingual  
7 education can meet the needs of these children and facilitate  
8 their integration into the regular public school curriculum.  
9 Therefore, pursuant to the policy of this State to insure equal  
10 educational opportunity to every child, and in recognition of  
11 the educational needs of children of limited English-speaking  
12 ability, it is the purpose of this Act to provide for the  
13 establishment of transitional bilingual education programs in  
14 the public schools, ~~and~~ to provide supplemental financial  
15 assistance to help local school districts meet the extra costs  
16 of such programs, and to allow this State to directly or  
17 indirectly provide technical assistance and professional  
18 development to support transitional bilingual education  
19 programs statewide.

20 (Source: P.A. 94-1105, eff. 6-1-07.)

21 (105 ILCS 5/21-7.1) (from Ch. 122, par. 21-7.1)

22 Sec. 21-7.1. Administrative certificate.

23 (a) After July 1, 1999, an administrative certificate valid  
24 for 5 years of supervising and administering in the public  
25 common schools (unless changed under subsection (a-5) of this

1 Section) may be issued to persons who have graduated from a  
2 regionally accredited institution of higher learning with a  
3 master's degree or its equivalent and who have been recommended  
4 by a recognized institution of higher learning as having  
5 completed a program of preparation for one or more of these  
6 endorsements. Such programs of academic and professional  
7 preparation required for endorsement shall be administered by  
8 the institution in accordance with standards set forth by the  
9 State Superintendent of Education in consultation with the  
10 State Teacher Certification Board.

11 (a-5) Beginning July 1, 2003, if an administrative  
12 certificate holder holds a Standard Teaching Certificate, the  
13 validity period of the administrative certificate shall be  
14 changed, if necessary, so that the validity period of the  
15 administrative certificate coincides with the validity period  
16 of the Standard Teaching Certificate. Beginning July 1, 2003,  
17 if an administrative certificate holder holds a Master Teaching  
18 Certificate, the validity period of the administrative  
19 certificate shall be changed so that the validity period of the  
20 administrative certificate coincides with the validity period  
21 of the Master Teaching Certificate.

22 (b) No administrative certificate shall be issued for the  
23 first time after June 30, 1987 and no endorsement provided for  
24 by this Section shall be made or affixed to an administrative  
25 certificate for the first time after June 30, 1987 unless the  
26 person to whom such administrative certificate is to be issued

1 or to whose administrative certificate such endorsement is to  
2 be affixed has been required to demonstrate as a part of a  
3 program of academic or professional preparation for such  
4 certification or endorsement: (i) an understanding of the  
5 knowledge called for in establishing productive parent-school  
6 relationships and of the procedures fostering the involvement  
7 which such relationships demand; and (ii) an understanding of  
8 the knowledge required for establishing a high quality school  
9 climate and promoting good classroom organization and  
10 management, including rules of conduct and instructional  
11 procedures appropriate to accomplishing the tasks of  
12 schooling; and (iii) a demonstration of the knowledge and  
13 skills called for in providing instructional leadership. The  
14 standards for demonstrating an understanding of such knowledge  
15 shall be set forth by the State Board of Education in  
16 consultation with the State Teacher Certification Board, and  
17 shall be administered by the recognized institutions of higher  
18 learning as part of the programs of academic and professional  
19 preparation required for certification and endorsement under  
20 this Section. As used in this subsection: "establishing  
21 productive parent-school relationships" means the ability to  
22 maintain effective communication between parents and school  
23 personnel, to encourage parental involvement in schooling, and  
24 to motivate school personnel to engage parents in encouraging  
25 student achievement, including the development of programs and  
26 policies which serve to accomplish this purpose; and

1 "establishing a high quality school climate" means the ability  
2 to promote academic achievement, to maintain discipline, to  
3 recognize substance abuse problems among students and utilize  
4 appropriate law enforcement and other community resources to  
5 address these problems, to support teachers and students in  
6 their education endeavors, to establish learning objectives  
7 and to provide instructional leadership, including the  
8 development of policies and programs which serve to accomplish  
9 this purpose; and "providing instructional leadership" means  
10 the ability to effectively evaluate school personnel, to  
11 possess general communication and interpersonal skills, and to  
12 establish and maintain appropriate classroom learning  
13 environments. The provisions of this subsection shall not apply  
14 to or affect the initial issuance or making on or before June  
15 30, 1987 of any administrative certificate or endorsement  
16 provided for under this Section, nor shall such provisions  
17 apply to or affect the renewal after June 30, 1987 of any such  
18 certificate or endorsement initially issued or made on or  
19 before June 30, 1987.

20 (c) Administrative certificates shall be renewed every 5  
21 years with the first renewal being 5 years following the  
22 initial receipt of an administrative certificate, unless the  
23 validity period for the administrative certificate has been  
24 changed under subsection (a-5) of this Section, in which case  
25 the certificate shall be renewed at the same time that the  
26 Standard or Master Teaching Certificate is renewed.

1 (c-5) Before July 1, 2003, renewal requirements for  
2 administrators whose positions require certification shall be  
3 based upon evidence of continuing professional education which  
4 promotes the following goals: (1) improving administrators'  
5 knowledge of instructional practices and administrative  
6 procedures; (2) maintaining the basic level of competence  
7 required for initial certification; and (3) improving the  
8 mastery of skills and knowledge regarding the improvement of  
9 teaching performance in clinical settings and assessment of the  
10 levels of student performance in their schools. Evidence of  
11 continuing professional education must include verification of  
12 biennial attendance in a program developed by the Illinois  
13 Administrators' Academy and verification of annual  
14 participation in a school district approved activity which  
15 contributes to continuing professional education.

16 (c-10) Beginning July 1, 2003, except as otherwise provided  
17 in subsection (c-15) of this Section, persons holding  
18 administrative certificates must follow the certificate  
19 renewal procedure set forth in this subsection (c-10), provided  
20 that those persons holding administrative certificates on June  
21 30, 2003 who are renewing those certificates on or after July  
22 1, 2003 shall be issued new administrative certificates valid  
23 for 5 years (unless changed under subsection (a-5) of this  
24 Section), which may be renewed thereafter as set forth in this  
25 subsection (c-10).

26 A person holding an administrative certificate and

1 employed in a position requiring administrative certification,  
2 including a regional superintendent of schools, must satisfy  
3 the continuing professional development requirements of this  
4 Section to renew his or her administrative certificate. The  
5 continuing professional development must include without  
6 limitation the following continuing professional development  
7 purposes:

8 (1) To improve the administrator's knowledge of  
9 instructional practices and administrative procedures in  
10 accordance with the Illinois Professional School Leader  
11 Standards.

12 (2) To maintain the basic level of competence required  
13 for initial certification.

14 (3) To improve the administrator's mastery of skills  
15 and knowledge regarding the improvement of teaching  
16 performance in clinical settings and assessment of the  
17 levels of student performance in the schools.

18 The continuing professional development must include the  
19 following in order for the certificate to be renewed:

20 (A) Participation in continuing professional  
21 development activities, which must total a minimum of 100  
22 hours of continuing professional development. The  
23 participation must consist of a minimum of 5 activities per  
24 validity period of the certificate, and the certificate  
25 holder must maintain documentation of completion of each  
26 activity.

1           (B) Participation every year in an Illinois  
2 Administrators' Academy course, which participation must  
3 total a minimum of 30 continuing professional development  
4 hours during the period of the certificate's validity and  
5 which must include completion of applicable required  
6 coursework, including completion of a communication,  
7 dissemination, or application component, as defined by the  
8 State Board of Education.

9           The certificate holder must complete a verification form  
10 developed by the State Board of Education and certify that 100  
11 hours of continuing professional development activities and 5  
12 Administrators' Academy courses have been completed. The  
13 regional superintendent of schools shall review and validate  
14 the verification form for a certificate holder. Based on  
15 compliance with all of the requirements for renewal, the  
16 regional superintendent of schools shall forward a  
17 recommendation for renewal or non-renewal to the State  
18 Superintendent of Education and shall notify the certificate  
19 holder of the recommendation. The State Superintendent of  
20 Education shall review the recommendation to renew or non-renew  
21 and shall notify, in writing, the certificate holder of a  
22 decision denying renewal of his or her certificate. Any  
23 decision regarding non-renewal of an administrative  
24 certificate may be appealed to the State Teacher Certification  
25 Board.

26           The State Board of Education, in consultation with the

1 State Teacher Certification Board, shall adopt rules to  
2 implement this subsection (c-10).

3 The regional superintendent of schools shall monitor the  
4 process for renewal of administrative certificates established  
5 in this subsection (c-10).

6 (c-15) This subsection (c-15) applies to the first period  
7 of an administrative certificate's validity during which the  
8 holder becomes subject to the requirements of subsection (c-10)  
9 of this Section if the certificate has less than 5 years'  
10 validity or has less than 5 years' validity remaining when the  
11 certificate holder becomes subject to the requirements of  
12 subsection (c-10) of this Section. With respect to this period,  
13 the 100 hours of continuing professional development and 5  
14 activities per validity period specified in clause (A) of  
15 subsection (c-10) of this Section shall instead be deemed to  
16 mean 20 hours of continuing professional development and one  
17 activity per year of the certificate's validity or remaining  
18 validity and the 30 continuing professional development hours  
19 specified in clause (B) of subsection (c-10) of this Section  
20 shall instead be deemed to mean completion of at least one  
21 course per year of the certificate's validity or remaining  
22 validity. Certificate holders who evaluate certified staff  
23 must complete a 2-day teacher evaluation course, in addition to  
24 the 30 continuing professional development hours.

25 (c-20) The State Board of Education, in consultation with  
26 the State Teacher Certification Board, shall develop

1 procedures for implementing this Section and shall administer  
2 the renewal of administrative certificates. Failure to submit  
3 satisfactory evidence of continuing professional education  
4 which contributes to promoting the goals of this Section shall  
5 result in a loss of administrative certification.

6 (d) Any limited or life supervisory certificate issued  
7 prior to July 1, 1968 shall continue to be valid for all  
8 administrative and supervisory positions in the public schools  
9 for which it is valid as of that date as long as its holder  
10 meets the requirements for registration or renewal as set forth  
11 in the statutes or until revoked according to law.

12 (e) The administrative or supervisory positions for which  
13 the certificate shall be valid shall be determined by one or  
14 more of 3 endorsements: general supervisory, general  
15 administrative and superintendent.

16 Subject to the provisions of Section 21-1a, endorsements  
17 shall be made under conditions set forth in this Section. The  
18 State Board of Education shall, in consultation with the State  
19 Teacher Certification Board, adopt rules pursuant to the  
20 Illinois Administrative Procedure Act, establishing  
21 requirements for obtaining administrative certificates where  
22 the minimum administrative or supervisory requirements surpass  
23 those set forth in this Section.

24 The State Teacher Certification Board shall file with the  
25 State Board of Education a written recommendation when  
26 considering additional administrative or supervisory

1 requirements. All additional requirements shall be based upon  
2 the requisite knowledge necessary to perform those tasks  
3 required by the certificate. The State Board of Education shall  
4 in consultation with the State Teacher Certification Board,  
5 establish standards within its rules which shall include the  
6 academic and professional requirements necessary for  
7 certification. These standards shall at a minimum contain, but  
8 not be limited to, those used by the State Board of Education  
9 in determining whether additional knowledge will be required.  
10 Additionally, the State Board of Education shall in  
11 consultation with the State Teacher Certification Board,  
12 establish provisions within its rules whereby any member of the  
13 educational community or the public may file a formal written  
14 recommendation or inquiry regarding requirements.

15 (1) Until July 1, 2003, the general supervisory  
16 endorsement shall be affixed to the administrative  
17 certificate of any holder who has at least 16 semester  
18 hours of graduate credit in professional education  
19 including 8 semester hours of graduate credit in curriculum  
20 and research and who has at least 2 years of full-time  
21 teaching experience or school service personnel experience  
22 in public schools, schools under the supervision of the  
23 Department of Corrections, schools under the  
24 administration of the Department of Rehabilitation  
25 Services, or nonpublic schools meeting the standards  
26 established by the State Superintendent of Education or

1 comparable out-of-state recognition standards approved by  
2 the State Superintendent of Education.

3 Such endorsement shall be required for supervisors,  
4 curriculum directors and for such similar and related  
5 positions as determined by the State Superintendent of  
6 Education in consultation with the State Teacher  
7 Certification Board.

8 (2) The general administrative endorsement shall be  
9 affixed to the administrative certificate of any holder who  
10 has at least 20 semester hours of graduate credit in  
11 educational administration and supervision and who has at  
12 least 2 years of full-time teaching experience or school  
13 service personnel experience in public schools, schools  
14 under the supervision of the Department of Corrections,  
15 schools under the administration of the Department of  
16 Rehabilitation Services, or nonpublic schools meeting the  
17 standards established by the State Superintendent of  
18 Education or comparable out-of-state recognition standards  
19 approved by the State Superintendent of Education.

20 Such endorsement shall be required for principal,  
21 assistant principal, assistant or associate  
22 superintendent, junior college dean and for related or  
23 similar positions as determined by the State  
24 Superintendent of Education in consultation with the State  
25 Teacher Certification Board.

26 Notwithstanding any other provisions of this Act,

1 after January 1, 1990 and until January 1, 1991, any  
2 teacher employed by a district subject to Article 34 shall  
3 be entitled to receive an administrative certificate with a  
4 general administrative endorsement affixed thereto if he  
5 or she: (i) had at least 3 years of experience as a  
6 certified teacher for such district prior to August 1,  
7 1985; (ii) obtained a Master's degree prior to August 1,  
8 1985; (iii) completed at least 20 hours of graduate credit  
9 in education courses (including at least 12 hours in  
10 educational administration and supervision) prior to  
11 September 1, 1987; and (iv) has received a rating of  
12 superior for at least each of the last 5 years. Any person  
13 who obtains an administrative certificate with a general  
14 administrative endorsement affixed thereto under this  
15 paragraph shall not be qualified to serve in any  
16 administrative position except assistant principal.

17 (3) The chief school business official endorsement  
18 shall be affixed to the administrative certificate of any  
19 holder who qualifies by having a Master's degree, 2 years  
20 of administrative experience in school business management  
21 or 2 years of university-approved practical experience,  
22 and a minimum of 20 semester hours of graduate credit in a  
23 program established by the State Superintendent of  
24 Education in consultation with the State Teacher  
25 Certification Board for the preparation of school business  
26 administrators. Such endorsement shall also be affixed to

1 the administrative certificate of any holder who qualifies  
2 by having a Master's Degree in Business Administration,  
3 Finance or Accounting from a regionally accredited  
4 institution of higher education.

5 After June 30, 1977, such endorsement shall be required  
6 for any individual first employed as a chief school  
7 business official.

8 (4) The superintendent endorsement shall be affixed to  
9 the administrative certificate of any holder who has  
10 completed 30 semester hours of graduate credit beyond the  
11 master's degree in a program for the preparation of  
12 superintendents of schools including 16 semester hours of  
13 graduate credit in professional education and who has at  
14 least 2 years experience as an administrator or supervisor  
15 in the public schools or the State Board of Education or  
16 education service regions or in nonpublic schools meeting  
17 the standards established by the State Superintendent of  
18 Education or comparable out-of-state recognition standards  
19 approved by the State Superintendent of Education and holds  
20 general supervisory or general administrative endorsement,  
21 or who has had 2 years of experience as a supervisor or  
22 administrator while holding an all-grade supervisory  
23 certificate or a certificate comparable in validity and  
24 educational and experience requirements.

25 After June 30, 1968, such endorsement shall be required  
26 for a superintendent of schools, except as provided in the

1 second paragraph of this Section and in Section 34-6.

2 Any person appointed to the position of superintendent  
3 between the effective date of this Act and June 30, 1993 in  
4 a school district organized pursuant to Article 32 with an  
5 enrollment of at least 20,000 pupils shall be exempt from  
6 the provisions of this paragraph (4) until June 30, 1996.

7 (f) All official interpretations or acts of issuing or  
8 denying administrative certificates or endorsements by the  
9 State Teacher's Certification Board, State Board of Education  
10 or the State Superintendent of Education, from the passage of  
11 P.A. 81-1208 on November 8, 1979 through September 24, 1981 are  
12 hereby declared valid and legal acts in all respects and  
13 further that the purported repeal of the provisions of this  
14 Section by P.A. 81-1208 and P.A. 81-1509 is declared null and  
15 void.

16 (Source: P.A. 96-56, eff. 1-1-10.)

17 (105 ILCS 5/24A-4) (from Ch. 122, par. 24A-4)

18 Sec. 24A-4. Development of evaluation plan.

19 (a) As used in this and the succeeding Sections, "teacher"  
20 means any and all school district employees regularly required  
21 to be certified under laws relating to the certification of  
22 teachers. Each school district shall develop, in cooperation  
23 with its teachers or, where applicable, the exclusive  
24 bargaining representatives of its teachers, an evaluation plan  
25 for all teachers.

1 (b) By no later than the applicable implementation date,  
2 each school district shall, in good faith cooperation with its  
3 teachers or, where applicable, the exclusive bargaining  
4 representatives of its teachers, incorporate the use of data  
5 and indicators on student growth as a significant factor in  
6 rating teaching performance, into its evaluation plan for all  
7 teachers, both those teachers in contractual continued service  
8 and those teachers not in contractual continued service. The  
9 plan shall at least meet the standards and requirements for  
10 student growth and teacher evaluation established under  
11 Section 24A-7, and specifically describe how student growth  
12 data and indicators will be used as part of the evaluation  
13 process, how this information will relate to evaluation  
14 standards, the assessments or other indicators of student  
15 performance that will be used in measuring student growth and  
16 the weight that each will have, the methodology that will be  
17 used to measure student growth, and the criteria other than  
18 student growth that will be used in evaluating the teacher and  
19 the weight that each will have.

20 To incorporate the use of data and indicators of student  
21 growth as a significant factor in rating teacher performance  
22 into the evaluation plan, the district shall use a joint  
23 committee composed of equal representation selected by the  
24 district and its teachers or, where applicable, the exclusive  
25 bargaining representative of its teachers. If, within 180  
26 calendar days of the committee's first meeting, the committee

1 does not reach agreement on the plan, then the district shall  
2 implement the model evaluation plan established under Section  
3 24A-7 with respect to the use of data and indicators on student  
4 growth as a significant factor in rating teacher performance.

5 Nothing in this subsection (b) ~~(a)~~ shall make decisions on  
6 the use of data and indicators on student growth as a  
7 significant factor in rating teaching performance mandatory  
8 subjects of bargaining under the Illinois Educational Labor  
9 Relations Act that are not currently mandatory subjects of  
10 bargaining under the Act.

11 (c) Notwithstanding anything to the contrary in subsection  
12 (b) of this Section, if the joint committee referred to in that  
13 subsection does not reach agreement on the plan within 90  
14 calendar days after the committee's first meeting, a school  
15 district having 500,000 or more inhabitants shall not be  
16 required to implement any aspect of the model evaluation plan  
17 and may implement its last best proposal.

18 (Source: P.A. 95-510, eff. 8-28-07; 96-861, eff. 1-15-10.)

19 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

20 Sec. 24A-5. Content of evaluation plans. This Section does  
21 not apply to teachers assigned to schools identified in an  
22 agreement entered into between the board of a school district  
23 operating under Article 34 of this Code and the exclusive  
24 representative of the district's teachers in accordance with  
25 Section 34-85c of this Code.

1           Each school district to which this Article applies shall  
2 establish a teacher evaluation plan which ensures that each  
3 teacher in contractual continued service is evaluated at least  
4 once in the course of every 2 school years.

5           By no later than September 1, 2012, each school district  
6 shall establish a teacher evaluation plan that ensures that:

7                   (1) each teacher not in contractual continued service  
8 is evaluated at least once every school year; and

9                   (2) each teacher in contractual continued service is  
10 evaluated at least once in the course of every 2 school  
11 years. However, any teacher in contractual continued  
12 service whose performance is rated as either "needs  
13 improvement" or "unsatisfactory" must be evaluated at  
14 least once in the school year following the receipt of such  
15 rating.

16           Notwithstanding anything to the contrary in this Section or  
17 any other Section of the School Code, a principal shall not be  
18 prohibited from evaluating any teachers within a school during  
19 his or her first year as principal of such school.

20           The evaluation plan shall comply with the requirements of  
21 this Section and of any rules adopted by the State Board of  
22 Education pursuant to this Section.

23           The plan shall include a description of each teacher's  
24 duties and responsibilities and of the standards to which that  
25 teacher is expected to conform, and shall include at least the  
26 following components:

1           (a) personal observation of the teacher in the  
2           classroom by the evaluator, unless the teacher has no  
3           classroom duties.

4           (b) consideration of the teacher's attendance,  
5           planning, instructional methods, classroom management,  
6           where relevant, and competency in the subject matter  
7           taught.

8           (c) by no later than the applicable implementation  
9           date, consideration of student growth as a significant  
10          factor in the rating of the teacher's performance.

11          (d) prior to September 1, 2012, rating of the  
12          performance of teachers in contractual continued service  
13          as either:

14                 (i)       "excellent",        "satisfactory"        or  
15                 "unsatisfactory"; or

16                 (ii)       "excellent",        "proficient",        "needs  
17                 improvement" or "unsatisfactory".

18          (e) on and after September 1, 2012, rating of the  
19          performance of teachers in contractual continued service  
20          as "excellent", "proficient", "needs improvement" or  
21          "unsatisfactory".

22          (f) specification as to the teacher's strengths and  
23          weaknesses, with supporting reasons for the comments made.

24          (g) inclusion of a copy of the evaluation in the  
25          teacher's personnel file and provision of a copy to the  
26          teacher.

1 (h) within 30 school days after the completion of an  
2 evaluation rating a teacher in contractual continued  
3 service as "needs improvement", development by the  
4 evaluator, in consultation with the teacher, and taking  
5 into account the teacher's on-going professional  
6 responsibilities including his or her regular teaching  
7 assignments, of a professional development plan directed  
8 to the areas that need improvement and any supports that  
9 the district will provide to address the areas identified  
10 as needing improvement.

11 (i) within 30 school days after completion of an  
12 evaluation rating a teacher in contractual continued  
13 service as "unsatisfactory", development and commencement  
14 by the district of a remediation plan designed to correct  
15 deficiencies cited, provided the deficiencies are deemed  
16 remediable. In all school districts the remediation plan  
17 for unsatisfactory, tenured teachers shall provide for 90  
18 school days of remediation within the classroom, unless an  
19 applicable collective bargaining agreement provides for a  
20 shorter duration. In all school districts evaluations  
21 issued pursuant to this Section shall be issued within 10  
22 days after the conclusion of the respective remediation  
23 plan. However, the school board or other governing  
24 authority of the district shall not lose jurisdiction to  
25 discharge a teacher in the event the evaluation is not  
26 issued within 10 days after the conclusion of the

1           respective remediation plan.

2           (j) participation in the remediation plan by the  
3 teacher in contractual continued service rated  
4 "unsatisfactory", an evaluator and a consulting teacher  
5 selected by the evaluator of the teacher who was rated  
6 "unsatisfactory", which consulting teacher is an  
7 educational employee as defined in the Educational Labor  
8 Relations Act, has at least 5 years' teaching experience,  
9 and a reasonable familiarity with the assignment of the  
10 teacher being evaluated, and who received an "excellent"  
11 rating on his or her most recent evaluation. Where no  
12 teachers who meet these criteria are available within the  
13 district, the district shall request and the applicable  
14 regional office of education ~~State Board of Education~~ shall  
15 supply, to participate in the remediation process, an  
16 individual who meets these criteria.

17           In a district having a population of less than 500,000  
18 with an exclusive bargaining agent, the bargaining agent  
19 may, if it so chooses, supply a roster of qualified  
20 teachers from whom the consulting teacher is to be  
21 selected. That roster shall, however, contain the names of  
22 at least 5 teachers, each of whom meets the criteria for  
23 consulting teacher with regard to the teacher being  
24 evaluated, or the names of all teachers so qualified if  
25 that number is less than 5. In the event of a dispute as to  
26 qualification, the State Board shall determine

1 qualification.

2 (k) a mid-point and final evaluation by an evaluator  
3 during and at the end of the remediation period,  
4 immediately following receipt of a remediation plan  
5 provided for under subsections (i) and (j) of this Section.  
6 Each evaluation shall assess the teacher's performance  
7 during the time period since the prior evaluation; provided  
8 that the last evaluation shall also include an overall  
9 evaluation of the teacher's performance during the  
10 remediation period. A written copy of the evaluations and  
11 ratings, in which any deficiencies in performance and  
12 recommendations for correction are identified, shall be  
13 provided to and discussed with the teacher within 10 school  
14 days after the date of the evaluation, unless an applicable  
15 collective bargaining agreement provides to the contrary.  
16 These subsequent evaluations shall be conducted by an  
17 evaluator. The consulting teacher shall provide advice to  
18 the teacher rated "unsatisfactory" on how to improve  
19 teaching skills and to successfully complete the  
20 remediation plan. The consulting teacher shall participate  
21 in developing the remediation plan, but the final decision  
22 as to the evaluation shall be done solely by the evaluator,  
23 unless an applicable collective bargaining agreement  
24 provides to the contrary. Evaluations at the conclusion of  
25 the remediation process shall be separate and distinct from  
26 the required annual evaluations of teachers and shall not

1 be subject to the guidelines and procedures relating to  
2 those annual evaluations. The evaluator may but is not  
3 required to use the forms provided for the annual  
4 evaluation of teachers in the district's evaluation plan.

5 (l) reinstatement to the evaluation schedule set forth  
6 in the district's evaluation plan for any teacher in  
7 contractual continued service who achieves a rating equal  
8 to or better than "satisfactory" or "proficient" in the  
9 school year following a rating of "needs improvement" or  
10 "unsatisfactory".

11 (m) dismissal in accordance with Section 24-12 or 34-85  
12 of the School Code of any teacher who fails to complete any  
13 applicable remediation plan with a rating equal to or  
14 better than a "satisfactory" or "proficient" rating.  
15 Districts and teachers subject to dismissal hearings are  
16 precluded from compelling the testimony of consulting  
17 teachers at such hearings under Section 24-12 or 34-85,  
18 either as to the rating process or for opinions of  
19 performances by teachers under remediation.

20 Nothing in this Section or Section 24A-4 shall be construed  
21 as preventing immediate dismissal of a teacher for deficiencies  
22 which are deemed irremediable or for actions which are  
23 injurious to or endanger the health or person of students in  
24 the classroom or school, or preventing the dismissal or  
25 non-renewal of teachers not in contractual continued service  
26 for any reason not prohibited by applicable employment, labor,

1 and civil rights laws. Failure to strictly comply with the time  
2 requirements contained in Section 24A-5 shall not invalidate  
3 the results of the remediation plan.

4 (Source: P.A. 95-510, eff. 8-28-07; 96-861, eff. 1-15-10.)

5 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

6 Sec. 24A-7. Rules. The State Board of Education is  
7 authorized to adopt such rules as are deemed necessary to  
8 implement and accomplish the purposes and provisions of this  
9 Article, including, but not limited to, rules (i) relating to  
10 the methods for measuring student growth (including, but not  
11 limited to, limitations on the age of useable data; the amount  
12 of data needed to reliably and validly measure growth for the  
13 purpose of teacher and principal evaluations; and whether and  
14 at what time annual State assessments may be used as one of  
15 multiple measures of student growth), (ii) defining the term  
16 "significant factor" for purposes of including consideration  
17 of student growth in performance ratings, (iii) controlling for  
18 such factors as student characteristics (including, but not  
19 limited to, students receiving special education and English  
20 Language Learner services), student attendance, and student  
21 mobility so as to best measure the impact that a teacher,  
22 principal, school and school district has on students' academic  
23 achievement, (iv) establishing minimum requirements for  
24 district teacher and principal evaluation instruments and  
25 procedures, and (v) establishing a model evaluation plan for

1 use by school districts in which student growth shall comprise  
2 50% of the performance rating. Notwithstanding any provision in  
3 this Section, such rules shall not preclude a school district  
4 having 500,000 or more inhabitants from using an annual State  
5 assessment as the sole measure of student growth for purposes  
6 of teacher or principal evaluations.

7 The rules shall be developed through a process involving  
8 collaboration with a Performance Evaluation Advisory Council,  
9 which shall be convened and staffed by the State Board of  
10 Education. Members of the Council shall be selected by the  
11 State Superintendent and include, without limitation,  
12 representatives of teacher unions and school district  
13 management, persons with expertise in performance evaluation  
14 processes and systems, as well as other stakeholders. The  
15 Performance Evaluation Advisory Council shall meet at least  
16 quarterly following the effective date of this amendatory Act  
17 of the 96th General Assembly until June 30, 2017.

18 Prior to the applicable implementation date, these rules  
19 shall not apply to teachers assigned to schools identified in  
20 an agreement entered into between the board of a school  
21 district operating under Article 34 of this Code and the  
22 exclusive representative of the district's teachers in  
23 accordance with Section 34-85c of this Code.

24 (Source: P.A. 95-510, eff. 8-28-07; 96-861, eff. 1-15-10.)

25 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

1           Sec. 26-2a. A "truant" is defined as a child subject to  
2 compulsory school attendance and who is absent without valid  
3 cause from such attendance for a school day or portion thereof.

4           "Valid cause" for absence shall be illness, observance of a  
5 religious holiday, death in the immediate family, family  
6 emergency, and shall include such other situations beyond the  
7 control of the student as determined by the board of education  
8 in each district, or such other circumstances which cause  
9 reasonable concern to the parent for the safety or health of  
10 the student.

11           "Chronic or habitual truant" shall be defined as a child  
12 subject to compulsory school attendance and who is absent  
13 without valid cause from such attendance for 10% or more of the  
14 previous 180 regular attendance days.

15           "Truant minor" is defined as a chronic truant to whom  
16 supportive services, including prevention, diagnostic,  
17 intervention and remedial services, alternative programs and  
18 other school and community resources have been provided and  
19 have failed to result in the cessation of chronic truancy, or  
20 have been offered and refused.

21           A "dropout" is defined as any child enrolled in grades 9 ±  
22 through 12 whose name has been removed from the district  
23 enrollment roster for any reason other than the student's ~~his~~  
24 death, extended illness, removal for medical non-compliance,  
25 expulsion, aging out, graduation, or completion of a program of  
26 studies and who has not transferred to another public or

1 private school and is not known to be home-schooled by his or  
2 her parents or guardians or continuing school in another  
3 country.

4 "Religion" for the purposes of this Article, includes all  
5 aspects of religious observance and practice, as well as  
6 belief.

7 (Source: P.A. 84-1308; 84-1420; 84-1424; 84-1438.)

8 Section 10. The School Breakfast and Lunch Program Act is  
9 amended by changing Section 4 as follows:

10 (105 ILCS 125/4) (from Ch. 122, par. 712.4)

11 Sec. 4. Accounts; copies of menus served; free lunch  
12 program required; report. School boards and welfare centers  
13 shall keep an accurate, detailed and separate account of all  
14 moneys expended for school breakfast programs, school lunch  
15 programs, free breakfast programs, free lunch programs, and  
16 summer food service programs, and of the amounts for which they  
17 are reimbursed by any governmental agency, moneys received from  
18 students and from any other contributors to the program. School  
19 boards and welfare centers shall also keep on file a copy of  
20 all menus served under the programs, which together with all  
21 records of receipts and disbursements, shall be made available  
22 to representatives of the State Board of Education at any time.

23 Every public school must have a free lunch program.

24 ~~In 2010 and in each subsequent year, the State Board of~~

1 ~~Education shall provide to the Governor and the General~~  
2 ~~Assembly, by a date not later than April 1, a report that~~  
3 ~~provides all of the following:~~

4 ~~(1) A list by school district of (i) all schools~~  
5 ~~participating in the school breakfast program, (ii) all~~  
6 ~~schools' total student enrollment, (iii) all schools'~~  
7 ~~number of children eligible for free, reduced price, and~~  
8 ~~paid breakfasts and lunches, (iv) all schools' incentive~~  
9 ~~moneys received, and (v) all schools' participation in~~  
10 ~~Provision Two or Provision Three under the Child Nutrition~~  
11 ~~Act of 1966 (42 U.S.C. 1771 et seq.).~~

12 ~~(2) (Blank).~~

13 ~~(3) A list of schools that have dropped a school~~  
14 ~~breakfast program during the past year and the reason or~~  
15 ~~reasons why.~~

16 ~~(3.5) A list of school districts and schools granted an~~  
17 ~~exemption from a regional superintendent of schools for~~  
18 ~~operating a school breakfast program in the next year and~~  
19 ~~the reason or reasons why.~~

20 (Source: P.A. 96-158, eff. 8-7-09.)

21 Section 13. The School Construction Law is amended by  
22 changing Section 5-200 as follows:

23 (105 ILCS 230/5-200)

24 Sec. 5-200. School energy efficiency grants.

1 (a) The State Board of Education is authorized to make  
2 grants to school districts, without regard to enrollment, for  
3 school energy efficiency projects. These grants shall be paid  
4 out of moneys appropriated for that purpose from the School  
5 Infrastructure Fund. No grant under this Section for one fiscal  
6 year shall exceed \$250,000, but a school district may receive  
7 grants for more than one project during one fiscal year. A  
8 school district must provide local matching funds in an amount  
9 equal to the amount of the grant under this Section. A school  
10 district has no entitlement to a grant under this Section.

11 (b) The State Board of Education shall adopt rules to  
12 implement this Section. These rules need not be the same as the  
13 rules for school construction project grants or school  
14 maintenance project grants. The rules may specify:

15 (1) the manner of applying for grants;

16 (2) project eligibility requirements;

17 (3) restrictions on the use of grant moneys;

18 (4) the manner in which school districts must account  
19 for the use of grant moneys; and

20 (5) any other provision that the State Board determines  
21 to be necessary or useful for the administration of this  
22 Section.

23 (c) In each school year in which school energy efficiency  
24 project grants are awarded, 20% of the total amount awarded  
25 shall be awarded to a school district in a city with a  
26 population of more than 500,000, provided that the school

1 district complies with the requirements of this Section and the  
2 rules adopted under this Section.

3 (Source: P.A. 96-37, eff. 7-13-09.)

4 (105 ILCS 5/2-3.97 rep.)

5 Section 15. The School Code is amended by repealing Section  
6 2-3.97.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.